

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

ANDREW KASNETZ

No. 3:18-CR-345-L
ECF

GOVERNMENT’S NOTICE OF EXPERT TESTIMONY

The United States of America (“the government”), files this, the Government’s Notice of Expert Testimony, in the above-captioned case.

1. Special Agent Aaron Covey
Federal Bureau of Investigation (“FBI”)
Dallas, Texas

Special Agent (“SA”) Covey is an agent with the FBI. SA Covey’s testimony will be based on his knowledge, skills, training, and experience in the area of computer forensics, computer forensic tools and analysis, the Internet, and his forensic review and analysis of the relevant electronic devices—particularly a HP desktop computer and Samsung laptop computer (collectively, the “Devices”)—seized from Defendant’s residence pursuant to a search warrant.

SA Covey is expected to testify about his review of the Devices seized from and used by Defendant to access and view child pornography. These Devices have been made available—and continue to remain available—for examination by the defense.

Specifically, SA Covey is expected to testify that the forensic evidence on the Devices used by Defendant is consistent with the allegations that Defendant received, possessed,

and accessed child pornography as alleged in the Superseding Indictment and notices of other acts under Fed. R. Evid. 404(b) and 414.

SA Covey is also expected to testify that the forensic evidence on the HP desktop computer used by Defendant revealed the same child pornography images that Defendant is charged with in Counts One and Two of the Superseding Indictment. Some of the forensic steps and artifacts regarding the Devices have been memorialized in reports, and SA Covey will explain the significance of those findings. In addition, SA Covey reviewed the Devices with forensic tools and will opine to his findings based on those forensic tools.

SA Covey may also testify regarding the following subject matters:

- Regarding the Internet, internet service providers, IP addresses, including the interstate nature of the Internet and how use of the Internet affects the forensic evidence within an electronic device;
- Regarding how computers receive information and data through the Internet, and how files are transferred to, and stored within, electronic devices, including thumbcache images, data in unallocated space, and hashes;
- Regarding forensic evidence suggesting that someone has tried to delete material from an electronic device;
- Regarding forensic tools commonly accepted and used to examine the user activity and content of an electronic device, including, but not limited to, Internet Evidence Finder, FTK Imager, and other tools and results of such tools that have been used on

Defendant's devices;

- Regarding evidence of web browsing, including, but not limited to, file paths, cookie files, internet history, bookmarks, and other Internet-based communications stored in electronic devices, including in temporary Internet file folders, file slack, and unallocated space.

- Regarding terminology commonly associated with the sexual exploitation of children, especially as such terms pertain to file names and online search terms.

Defense counsel has been provided with a copy of this witness's reports of examination and his professional qualifications.

2. Trooper Rob Erdley
Pennsylvania State Police (retired)
Indiana, PA

Trooper Erdley may testify regarding the following subject matters:

- Regarding the Internet, internet service providers, IP addresses, including the interstate nature of the Internet and how use of the Internet affects the forensic evidence within an electronic device;

- Regarding how computers receive information and data through the Internet, and how files are transferred to, and stored within, electronic devices, including thumbcache images, data in unallocated space, and hashes;

- Regarding forensic evidence suggesting that someone has tried to delete material from an electronic device;

- Regarding forensic tools commonly accepted and used to examine the user activity

and content of an electronic device, including, but not limited to, Internet Evidence Finder, FTK Imager, and other tools and results of such tools that have been run on the laptop computer Defendant used;

- Regarding evidence of web browsing, including, but not limited to, file paths, cookie files, internet history, bookmarks, and other Internet-based communications stored in electronic devices, including in temporary Internet file folders, file slack, and unallocated space.

- How the BitTorrent file sharing network works. How BitTorrent investigative software works. His review of the evidence in this case and the meaning of the entries in the logs. He is expected to refute claims made by Defendant's expert that there are errors that undermine claims made in the charges against Defendant or other claims made by that expert.

3. Detective Jeff Rich
Plano Police Department
Plano, TX

Detective Rich is a detective with the Plano Police Department. Detective Rich will testify that, from October to November 2017, he downloaded child sexual abuse material from an IP address that was ultimately connected to Defendant's home.

Detective Rich may also testify regarding the following subject matters:

- Regarding the Internet, internet service providers, IP addresses, including the interstate nature of the Internet and how use of the Internet affects the forensic evidence within an electronic device;

- Regarding how computers receive information and data through the Internet, and how files are transferred to, and stored within, electronic devices, including thumbcache images, data in unallocated space, and hashes;
- Regarding forensic evidence suggesting that someone has tried to delete material from an electronic device;
- Regarding forensic tools commonly accepted and used to examine the user activity and content of an electronic device, including, but not limited to, Internet Evidence Finder, FTK Imager, and other tools and results of such tools that have been run on the laptop computer Kasnetz used;
- Regarding evidence of web browsing, including, but not limited to, file paths, cookie files, internet history, bookmarks, and other Internet-based communications stored in electronic devices, including in temporary Internet file folders, file slack, and unallocated space.
- How the BitTorrent file sharing network works. How BitTorrent investigative software works. His review of the evidence in this case and the meaning of the entries in the logs. He is expected to refute claims made by Defendant's expert that there are errors that undermine claims made in the charges against Defendant or others claims made by that expert.

4. Detective Eric Weast
Dallas Police Department
Dallas, TX

Detective Weast is a detective with the Dallas Police Department. On February 20,

2018, he assisted with the execution of a search warrant at Defendant's home. Detective Weast's testimony will be based on his knowledge, skills, training, and experience in the area of computer forensics, computer forensic tools and analysis, the Internet, and his forensic review and analysis of the relevant electronic devices—a HP desktop computer and Samsung laptop computer (Devices) seized from Defendant pursuant to a search warrant.

Detective Weast is expected to testify about his review of the Devices seized from, and used by, Defendant to access and view child pornography. These Devices have been made available—and continue to remain available—for examination by the defense. Specifically, Detective Weast is expected to testify that the forensic evidence on the Devices used by Defendant is consistent with the allegations that Defendant accessed with intent to view child pornography, received and possessed it (see e.g. Counts One and Two of the Indictment or the Superseding Indictment). Detective Weast is also expected to testify that the forensic evidence on the HP desktop computer used by Defendant revealed the same child pornography images that Defendant is charged with in Counts One and Two of the indictment. Some of the forensic steps and artifacts regarding the Devices have been memorialized in reports, and Detective Weast will explain the significance of those findings. In addition, Detective Weast reviewed the Devices with forensic tools and will opine to his findings based on those forensic tools.

Detective Weast may also testify regarding the following subject matters:

- Regarding the Internet, internet service providers, IP addresses, including the

interstate nature of the Internet and how use of the Internet affects the forensic evidence within an electronic device;

- Regarding how computers receive information and data through the Internet, and how files are transferred to, and stored within, electronic devices, including thumbcache images, data in unallocated space, and hashes;
- Regarding forensic evidence suggesting that someone has tried to delete material from an electronic device;
- Regarding forensic tools commonly accepted and used to examine the user activity and content of an electronic device, including, but not limited to, Internet Evidence Finder, FTK Imager, and other tools and results of such tools that have been used on Defendant's devices;
- Regarding evidence of web browsing, including, but not limited to, file paths, cookie files, internet history, bookmarks, and other Internet-based communications stored in electronic devices, including in temporary Internet file folders, file slack, and unallocated space.

5. Detective Amber Lingenfelter
Garland Police Department
Garland, TX

Detective Lingenfelter is a forensic video technician who extracted and preserved video files from Defendant's home security camera system. Detective Lingenfelter is expected to testify about the settings, function, and operation of Defendant's home security camera system. She will explain how she extracted video files from that system

and will further explain technical details about videos she extracted which depict Defendant in his home office the day law enforcement officers searched his residence.

Defense counsel has been provided with copies of any extant reports of examination and the professional qualifications of these witnesses.

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CERTIFICATE OF SERVICE

I hereby certify that on **March 18, 2022**, I electronically filed the foregoing document with the Clerk of Court for the United States District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system will send a Notice of Electronic Filing to the following attorney(s) of record who have consented in writing to accept this Notice as service of this document by electronic means.

s/ Eduardo Palomo

Eduardo Palomo

Trial Attorney